



3. Once counsel for Ewers learned that a copy of the documents served on Heron were stamped by, and filed with, the CLCC, counsel for Ewers attempted to contact the CLCC on at least four (4) occasions by telephone and by facsimile to obtain a copy of those documents, but was unsuccessful.

4. On September 14, 2005, counsel for Ewers employed the International Department of CT Corporation System, a legal services company, to contact the CLCC to obtain a copy of the documents served on Heron. The CLCC informed CT Corporation System that it was unable to locate those documents because the CLCC was not able to search their records using the information from the stamp on the Certificate of Service.

5. On September 15, 2005, counsel for Ewers employed Wragge & Co., a U.K. solicitors office, to obtain a copy of the documents served on Heron from the CLCC. Wragge & Co. also was unsuccessful, for the same reason as CT Corporation System.

6. On September 16, 2005, counsel for Ewers contacted Parfitt to discuss the details of the filing with the CLCC of documents served on Heron. Parfitt informed counsel for Ewers that he was on vacation in Italy, did not have access to his files, and would not return to his office in the U.K. until September 26, 2005.

3. The information counsel for Ewers expects to obtain from Parfitt will assist counsel for Ewers to obtain documents from the CLCC that would resolve a key factual dispute raised in Plaintiff's motion, namely, whether Heron was served with the Complaint and Summons instituting the Ewers Litigation.

4. Plaintiff would suffer no prejudice if the deadline for Defendant's opposition were extended to and including Friday, October 7, 2005 to allow Ewers to contact Parfitt once he

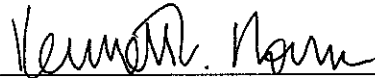
returns to his office in the U.K. and secure from the CLCC a copy of the documents that were served on Heron in the U.K.

5. Additionally, where Plaintiff has alleged a misrepresentation concerning which documents were served on Heron in the U.K., the interests of justice are best served by allowing Ewers to and including Friday, October 7, 2005 to contact Parfitt once he returns to the U.K. and obtain a copy of the exact documents that were served on Heron from the CLCC.

WHEREFORE, Defendant requests an additional extension of time, to and including Friday, October 7, 2005, to oppose the Motion.

LARRY EWERS

By his attorneys,

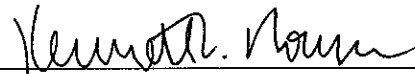


Alan M. Spiro (BBO No. 475650)  
Kenneth V. Nourse (BBO No. 655781)  
EDWARDS & ANGELL, LLP  
101 Federal Street  
Boston, Massachusetts 02110  
(617) 439-4444

Dated: September 19, 2005

**CERTIFICATE OF SERVICE**

I, Kenneth V. Nourse, hereby certify that on September 19, 2005, I served a true copy of the above document by electronic filing on counsel of record for Plaintiff Alexander Pladott.



Kenneth V. Nourse (BBO No. 655781)

A

**lewers@stx.rr.com**

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**From:** <specialistpi@fsmail.net>  
**To:** <lewers@stx.rr.com>  
**Sent:** Monday, April 19, 2004 12:18 PM  
**Subject:** Re: Wire

Dear Mr. Ewers,

I spoke earlier with Alex Pladott and wished to clarify a couple of points re. the service of papers on Christopher Patrick Heron. The Certificate of Service was stamped by the clerk at the Central London County Court, 13-14 Park Crescent, London, W1. They retained a copy of the papers that were served and will have a record of issuing the certificate of service. Their telephone number is +44 2079175000. The certificate of compliance with the Hague Convention was sworn in front of a solicitor, John Leonard, from Finers Stephens Innocent Solicitors authorised Commissioners of Oaths. They have the authority to witness sworn statements. They are based at 179 Great Portland Street, London, W1N 6LS, telephone +44 2073234000. I trust this clarifies matters.

Sincerely,

Mark Parfitt

Specialist Private Investigators

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Message date : Apr 19 2004, 05:46 PM  
From : lewers@stx.rr.com  
To : specialistpi@fsmail.net  
Copy to : Ss4re@aol.com  
Subject : Wire  
Mr. Parfitt:

Wire transfer was sent out today 4-19-04.

Thanking you for your service.

Sincerely,

Larry Ewers

Join the UK's number one for the internet  
[Click here](#)

4/19/2004

**B**

# Certificate of Service

In the	
Claim No.	02-10532 RWZ
Claimant	LARRY EWERT
Defendant	CHRISTOPHER PATRICK HERON

On the 7<sup>th</sup> APRIL 2004 (insert date)  
 the ..... (insert title or description of documents served)  
 a copy of which is attached to this notice was served on (insert name of person served, including position i.e. partner, director if appropriate)

Tick as appropriate

- ☐ by first class post
- ☐ by Document Exchange
- ☐ by delivering to or leaving
- ☐ by handing it to or leaving it with
- ☐ by fax machine (.....time sent)  
 (you may want to enclose a copy of the transmission sheet)
- ☐ by e-mail
- ☒ by other means (please specify) BY HAND

at (insert address where service effected, include fax or DX number or e-mail address)

21 DALE HOUSE  
 BOUNDARY ROAD.  
 LONDON  
 ENGLAND.

being the defendant's:

- ☒ residence
- ☐ registered office
- ☐ place of business
- ☐ other (please specify) .....

The date of service is therefore deemed to be 7<sup>th</sup> APRIL 2004 (insert date - see over for guidance)

I confirm that at the time of signing this Certificate the document has not been returned to me as undelivered.

[Signature]

Position or